

Amendment No. 3 to HB2578

Sargent
Signature of Sponsor

AMEND Senate Bill No. 2569

House Bill No. 2578*

by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 49-7-204, is amended by deleting subsections (a), (b), and (c) in their entireties and substituting instead:

(a)

(1)

(A) The commission shall consist of a total of ten (10) appointed voting members.

(B) The governor shall appoint six (6) voting members, the speaker of the senate shall appoint one (1) voting member, the speaker of the house of representatives shall appoint one (1) voting member, and the speakers shall jointly appoint one (1) voting member.

(C) In addition, the governor shall appoint two (2) student members. One (1) student member shall be a voting member, and one (1) student member shall be a nonvoting member. The student appointed pursuant to subdivision (d)(2)(A) will be the first voting student member for a term of one (1) year, followed by the student member appointed pursuant to subdivision (c)(1), who shall serve a term of one (1) year as a voting member. Thereafter, the voting student membership shall be rotated between the student representing the University of Tennessee system and the student representing institutions that are not in the

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University of Tennessee system, it being the legislative intent that a student member serve one (1) year as a nonvoting member before becoming a voting member.

(D) The comptroller of the treasury, the secretary of state, and the state treasurer shall serve as ex officio, voting members of the commission. The executive director of the state board of education shall serve as an ex officio, nonvoting member of the commission.

(2)

(A) Except for ex officio members and student members, membership shall be for a six-year term.

(B) To transition from appointment of all members by the governor to appointment of members by the governor, the speaker of the senate, and the speaker of the house of representatives, when the first vacancy occurs or the first term expires after July 1, 2016, the speaker of the senate shall appoint the member to fill the vacancy. When the second vacancy occurs or the next term expires, the speaker of the house of representatives shall appoint the member to fill the vacancy. When the third vacancy occurs or the next term expires, the speaker of the senate and the speaker of the house of representatives shall jointly appoint the member to fill the vacancy.

(3)

(A) As the governor, speaker of the senate, and speaker of the house of representatives appoint voting members, other than the student members, the governor, the speaker of the senate, and the speaker of the house of representatives shall appoint the voting members so that the three (3) grand divisions of the state are represented equally.

(B) No member of the commission serving on July 1, 2016, shall have the member's term cut short because of subdivision (a)(3)(A).

(4) When the nine (9) voting members, other than the student member, have been appointed so that the three (3) grand divisions are represented equally, the appointing authorities, in filling vacancies, shall subsequently appoint a person from the grand division in which the member who previously filled the position resided.

(5) Members shall be eligible for reappointment.

(6) The appointing authorities shall strive to appoint members to the commission in a manner that is representative of the diversity of the citizens of the state.

(b)

(1) Except as provided in subdivision (a)(2)(B), any vacancy on the commission shall be filled by appointment of the authority who originally made the appointment.

(2) Vacancies, except for expiration of a term, shall be filled for the unexpired term only.

(3) Except for members appointed before July 1, 2016, the place of any member on the commission shall be vacated at such time as the member ceases to reside in the grand division in which the member resided at the time of appointment.

(c)

(1) One (1) member of the commission shall be a student who shall be appointed by the governor from a list of three (3) nominees selected and submitted no later than April 15 by the presidents of the student government associations and associated student bodies of the community colleges, the Tennessee colleges of applied technologies, and the six (6) state universities.

(2) The student member shall serve for a term of two (2) years beginning on July 1 after the student member's appointment by the governor. The student shall continue as a student in good standing at the institution the student represents during the student's term on the commission.

(3) The list of nominees referenced in subdivision (c)(1) shall be selected in accordance with the following provisions:

(A)

(i) One (1) nominee shall be enrolled as a full-time student at a state university at the time of nomination and shall maintain enrollment as a full-time student at the state university;

(ii) One (1) nominee shall be enrolled as a full-time student at a community college at the time of nomination and shall maintain enrollment as a full-time student at the community college; and

(iii) One (1) nominee shall be enrolled as a full-time student at the time of nomination at a Tennessee college of applied technology;

(B) The nominees may not be enrolled at the same institution;

(C) All nominees for student commission member shall be residents of this state; and

(D) A majority of the student government association and associated student body presidents of all state universities, community colleges, and Tennessee colleges of applied technologies shall constitute a quorum for nomination purposes. A majority vote of those present and voting is necessary to effect a nomination.

(4) The executive director of the commission shall notify all student government association and associated student body presidents of the necessity for the nominating procedure described in subdivision (c)(3).